



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: BARRY HUBBARD, et al)
TITLE: PROXIMAL CONICAL)
COLLAR)
SERIAL NO.: 09/974,782)
FILED: October 9, 2001) RESPONSE C WITH AMENDMENT
EXAMINER D. Isabella)
ART UNIT: 3738)

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TECHNOLOGY CENTER R3700


Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Responsive to the Office Action, Paper No. 12, mailed May 5, 2004 applicants request entry of this Response C With Amendment and reconsideration of the above-captioned application. This response addresses every ground of rejection set forth in the Office Action.

Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 3 day of November, 2004.


Karl R. Cannon
Attorney Registration No. 36,468
Attorney for Applicant

A shortened statutory period for response of three (3) months was set for response to the Office Action. Accordingly, a Petition for a three-month extension of time and a PTO Form 2038 (credit card payment form) appropriate in amount to cover the corresponding fee are also enclosed.

Two (2) new dependent claims have been added and four (4) claims have been canceled herein. Accordingly, no additional fees are required to cover the additional claims.